

Name: ZANG LOR

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**FILED**  
**NOV 10 2015**  
SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Name: ZANG LOR,  
Petitioner,

v.

TIMOTHY S. AIKEN, Field Office Director,  
San Francisco Field Office, United States  
Immigration and Customs Enforcement; SARAH  
R. SALDAÑA, Director, United States  
Immigration and Customs Enforcement; JEH  
JOHNSON, Secretary, United States Department  
of Homeland Security; LORETTA LYNCH,  
United States Attorney General; and WARDEN  
OF IMMIGRATION DETENTION FACILITY,

Respondents.

Case No.

**C15- 5336**

KAW

**MOTION FOR APPOINTMENT OF  
COUNSEL PURSUANT TO 18  
U.S.C. § 3006A**

Petitioner ZANG LOR has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241 challenging Petitioner's indefinite detention by Respondents. Petitioner was detained by Immigration and Customs Enforcement (ICE) on or about 04/27/2015. Petitioner has remained in ICE custody since that date. An Immigration Judge ordered Petitioner removed and Petitioner's removal order became final on or about 08/06/2015, but ICE has been unable to remove Petitioner.

In *Zadvydas v. Davis*, the Supreme Court held that the immigration statute 8 U.S.C. § 1231(a)(6) does not allow ICE to detain a non-citizen indefinitely while attempting to carry out removal. 533 U.S. 678, 689 (2001). After six months of presumptively-reasonable detention, if the non-citizen provides good reason to believe that removal is not reasonably foreseeable, the burden shifts to the government to rebut that showing. *Id.* at 701.

Petitioner moves the Court to appoint counsel represent Petitioner in this case. The Court may appoint counsel in a habeas action when the “interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). Here, Petitioner has a strong chance of success on the merits because Petitioner has been held for longer than six months since being ordered removed and Petitioner's country still refuses to accept him or her. However, given the complexity of the law on immigration detention and Petitioner's status as a detained immigrant, Petitioner would have great difficulty presenting the case without the assistance of counsel. For these reasons, Petitioner respectfully requests that the Court appoint counsel.

Date: 11/12/15

Signature:   
Petitioner